



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

February 22, 2021

MEMO ENDORSED

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: *Matzinger v. Kendall, et al.*, No. 20 Civ. 10278 (VEC)

Dear Judge Caproni:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services ("USCIS") to adjudicate his Petition for Alien Entrepreneur (Form I-526). On behalf of the government, I write respectfully to request that the initial conference presently scheduled for March 5, 2021, be adjourned to at least one week after April 12, 2021.

The extension is respectfully requested because this Office was not served with the complaint pursuant to Rule 4(i)(1) of the Federal Rules of Civil Procedure and was only recently notified of this action by USCIS. After discussions between counsel, the parties have agreed to consider service to have been completed as of February 11, 2021, notwithstanding the above. The government is presently investigating the facts and circumstances underlying this action and respectfully requests that the conference be adjourned until after the April 12, 2021 date for its response to the complaint. This is the government's first request to adjourn the initial conference. Plaintiff's counsel consents to this request.

I thank the Court for its consideration of this letter.

Application GRANTED. The initial pretrial conference is adjourned to **April 16, 2021 at 10:00 a.m.** The parties' joint letter is due by **April 8, 2021.**

SO ORDERED.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

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cc: Counsel of record (via ECF)